

PROB 12B
(7/93)

Report Date: March 30, 2012

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

APR 04 2012

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: John Manuel Valero

Case Number: 2:04CR00265-001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 8/30/2005

Type of Supervision: Supervised Release

Original Offense: Theft of Firearms from Federally
Licensed Firearms Licensed Dealer, 18 U.S.C. §
922(u); Possession of Stolen Firearms, 18 U.S.C.
§922(j)

Date Supervision Commenced: 3/26/2012

Original Sentence: Prison - 96 Months;
TSR - 36 Months

Date Supervision Expires: 3/25/2015

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 17 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

CAUSE

The purpose of this petition is to apprise the Court of the status of the aforementioned case, in light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9th Cir. 2005), and to request that the conditions of supervision be modified to authorize a maximum of six random drug tests per month.

John Valero was asked whether he would waive his right to a hearing and agree to the modifications as previously described. As indicated by the enclosed Waiver of Hearing to Modify Conditions of Supervised Release form, Mr. Valero has agreed to the proposed modifications.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 03/30/2012

s/Tommy Rosser

Tommy Rosser
U.S. Probation Officer

Prob 12B

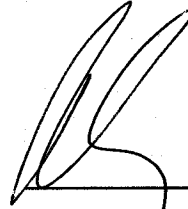
Re: Valero, John Manuel

March 30, 2012

Page 2

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

4/3/2012

Date